

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
13-CA-124362Date Filed
3/13/2014

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a Name of Employer

(1) McDonald's/5624 West Roosevelt Road and (2) McDonald's Corporation, joint employers

Tel No (1) 773-921-0056
(2) 800-244-6227

c. Cell No.

d Address (Street, city, state, and ZIP code)

(1) 5624 West Roosevelt Road, Chicago, IL 60644
(2) 2111 McDonald's Drive, Oak Brook, IL 60523

e. Employer Representative

(1) (b) (6), (b) (7)(C)

f Fax No

(1) 630-499-1234

g e-Mail

h Number of workers employed

(1) Approx 60, (2) 100,000+

Type of Establishment (factory, mine, wholesaler, etc.)

Restaurant(s)

j Identify principal product or service

Fast food

k The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act

2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about (b) (6), (b) (7)(C) 2014, the above-named joint employers have retaliated against employees by purporting to require them to provide proof of documentation regarding their citizenship or residence status in retaliation for those employees having participated in protected, concerted activities, and in an effort to interfere with, restrain, and coerce those employees and others from engaging in further protected, concerted activities

3 Full name of party filing charge (if labor organization, give full name, including local name and number)

Workers Organizing Committee of Chicago

4a Address (Street and number, city, state, and ZIP code)

123 West Madison Street
Suite 800
Chicago, IL 60602

4b Tel No

(b) (6), (b) (7)(C)

4c Cell No.

4d Fax No

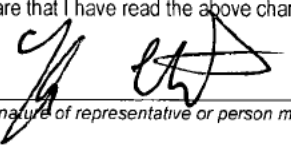
312-243-4731

4e e-Mail

5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By 
(signature of representative or person making charge)Barry M. Bennett, Lawyer
(Print/type name and title or office, if any)

Tel No

312-372-1361

Office, if any, Cell No

Fax No

312-372-6599

e-Mail

bbennett@dbb-law.com

Address 8 South Michigan Avenue, 19th Floor, Chicago, IL 606033/13/14
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

March 13, 2014

(b) (6), (b) (7)(C)

McDonald's
5624 West Roosevelt Road
Chicago, IL 60644

Re: McDonald's/McDonald's Corporation, joint
employers
Case 13-CA-124362

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner CATHERINE SCHLABOWSKE whose telephone number is (312)353-7600 and whose e-mail address is catherine.schlabowske@nlrb.gov. If this Board agent is not available, you may contact Supervisory Examiner KATE GIANOPULOS whose telephone number is (312)353-4162.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by March 27, 2014. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung Ohr', with a long horizontal line extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

McDonald's/McDonald's Corporation, joint employers

CASE NUMBER

13-CA-124362

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$**YES NO**B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF
CHICAGO**

Charging Party

Case 13-CA-124362

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on March 13, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

McDonald's
5624 West Roosevelt Road
Chicago, IL 60644

McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523

March 13, 2014

Date

Brendan Zarling, Designated Agent of
NLRB

Name

Brendan Zarling

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341

March 13, 2014

Workers Organizing Committee of Chicago
123 W Madison St Ste 800
Chicago, IL 60602-4621

Re: McDonald's/McDonald's Corporation, joint
employers
Case 13-CA-124362

Dear Sir or Madam:

The charge that you filed in this case on March 13, 2014 has been docketed as case number 13-CA-124362. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner CATHERINE SCHLABOWSKE whose telephone number is (312)353-7600 and whose e-mail address is catherine.schlabowske@nlrb.gov. If the Board agent is not available, you may contact Supervisory Examiner KATE GIANOPULOS whose telephone number is (312)353-4162.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung', with a long horizontal stroke extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

cc: Barry M. Bennett, ESQ., Attorney at Law
Dowd, Bloch, Bennett & Cervone
8 S Michigan Ave
Fl 19
Chicago, IL 60603-3315

LAW OFFICES
DOWD, BLOCH, BENNETT & CERVONE

8 SOUTH MICHIGAN AVENUE • 19TH FLOOR
CHICAGO, ILLINOIS 60603-3315
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J. PETER DOWD
ROBERT E. BLOCH
BARRY M. BENNETT
ROBERT S. CERVONE
MICHELE M. REYNOLDS
JUSTIN J. LANNOYE

JEREMY M. BARR
JOSIAH A. GROFF
DAVID P. LICHTMAN
GEORGE A. LUSCOMBE III

March 13, 2014

VIA HAND DELIVERY

Mr. Peter Sung Ohr
Regional Director
Region 13, National Labor Relations Board
The Rookery Building
209 South LaSalle Street, Suite 900
Chicago, Illinois 60604

Re: **McDonald's/5624 West Roosevelt Road; McDonald's Corporation**

Dear Mr. Ohr:

Enclosed are an original and one copy of an unfair labor practice charge against the above-named joint employers. Will you please have a member of your staff stamp the extra copy of the charge with the date of filing and return it to our messenger.

I respectfully ask that this matter be given the most immediate attention and that the Region pursue an injunction under § 10(j) unless the employers end the unlawful action immediately and take other necessary remedial steps. Employees of this facility presented management with a petition asking that they be treated with respect and without intimidation; that supervisors not shout at them privately or publicly; that management comply with all federal and state labor laws; and that the owner of the restaurant meet with the employees to discuss these issues. Within less than a day, management at the facility posted a notice stating that certain employees, the bulk of whom had participated in the petition efforts, were required to provide documentation regarding citizenship/residency status, notwithstanding that these individuals were already employed and had been employed for significant periods of time. This sudden and wholly improper demand for "documentation" was obviously retaliatory and an

DOWD, BLOCH, BENNETT & CERVONE

Mr. Peter Sung Ohr

March 13, 2014

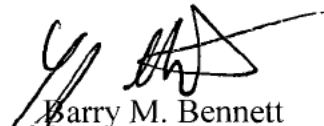
Page 2

attempt to intimidate the participating workers and others. I most strongly urge the Region not to permit this unlawful conduct to continue without an aggressive response.

Would you please have the agent assigned to this case contact me as soon as possible so we can make our witnesses and other evidence available.

Thank you for your consideration.

Respectfully yours,



Barry M. Bennett

BMB (b) (5), (b) (7)

Enclosure

cc: Mr. Caleb Jennings, WOCC (w/encl.)

Cases

Case Number	Case Name	File	Date Filed	Status	IA Category	Charging Party/Petitioner	Blocked	Hot Topics	Dispute/Unit City	Dispute/Unit State	Charged Party/Employer	No. 8(b)(2) Discriminatees	No. 8(a)(3) Discriminatees	No. of Employees on Petition/Charge	Description	Inquiry Id	Type	Sub Type	Team	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	New
13-CA-123699	Kandice Enterprises d/b/a McDonald's/70 E Garfield and McDonald's USA, LLC, named as joint employers	Case File	3/4/2014	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC			60		(b) (6), (b) (7)(C)	C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-124213	(1) McDonald's/9211 S Commercial and (2) McDonald's USA, LLC, named as joint employers	Case File	3/11/2014	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC		5	50			C	CA	VROBLES	VROBLES	RPAZ	None			*
13-CA-100471	McDonald's Corporation	Case File	3/15/2013	Closed	3	JACOB D KOSARKO	No		Hammond	IN	MCDONALD'S CORPORATION			60			C	CA	OFLATTE	OFLATTE	RPAZ	None	Withdrawal Non-adjusted	5/1/2013	
13-CA-103524	Karavites Restaurants 26, Inc d/b/a McDonald's	Case File	4/23/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Karavites Restaurants 26, Inc d/b/a McDonald's			30			C	CA	JPROKOP	JPROKOP	PHITTERM	Organizational Campaign	Withdrawal Non-adjusted	6/6/2013	
13-CA-103525	RMC Loop Enterprises, LLC d/b/a McDonald's	Case File	4/23/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	RMC Loop Enterprises LLC d/b/a McDonald's			25			C	CA	JPROKOP	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013	
13-CA-103612	Wright Management, Inc d/b/a Rock-N-Roll-McDonald's	Case File	4/23/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Wright Management, Inc d/b/a Rock-N-Roll-McDonald's			75			C	CA	JPROKOP	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	5/23/2013	
13-CA-103617	Karavites Restaurants 11102, LLC d/b/a McDonald's	Case File	4/23/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Karavites Restaurants 11102, LLC d/b/a McDonald's			25			C	CA	JPROKOP	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013	
13-CA-105770	Wright Management, Inc d/b/a Rock-N-McDonald's	Case File	5/23/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Wright Management, Inc d/b/a Rock-N-Roll-McDonald's		1	50			C	CA	JPROKOP	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/27/2013	
13-CA-106490	(1) Karavites Restaurants 11102 LLC, d/b/a McDonald's and (2) McDonald's Corporation, named as joint employers	Case File	6/4/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		2	25			C	CA	JPROKOP	JPROKOP	PHITTERM	None			
13-CA-106493	(1) RMC Loop Enterprises, LLC, d/b/a McDonald's and (2) McDonald's Corporation, named as joint employers	Case File	6/4/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation			25			C	CA	JPROKOP	JPROKOP	PHITTERM	None			
13-CA-106491	(1) Karavites Restaurants 26, Inc. d/b/a McDonald's and (2) McDonald's Corporation, named as joint employers	Case File	6/4/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		1	30			C	CA	JPROKOP	JPROKOP	PHITTERM	None			
13-CA-107668	(1) Wright Management, Inc d/b/a Rock-N-Roll McDonald's (2) McDonald's Corporation, named as joint employers	Case File	6/20/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		1	200			C	CA	JPROKOP	JPROKOP	PHITTERM	None			
13-CA-112046	Wright Management, Inc d/b/a Rock-N-Roll McDonald's	Case File	8/26/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Wright Management, Inc d/b/a Rock-N-Roll McDonald's		1	200			C	CA	JPROKOP	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	9/30/2013	
	Wright					Workers					Wright														

Case Number	Case Name	File	Date Filed	Status	IA Category	Charging Party/Petitioner	Blocked	Hot Topics	Dispute/Unit City	Dispute/Unit State	Charged Party/Employer	No. 8(b)(2) Discriminatees	No. 8(a)(3) Discriminatees	No. of Employees on Petition/Charge	Description	Inquiry Id	Type	Sub Type	Team	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	New
13-CA-112220	Management, Inc. d/b/a Rock-N-Roll McDonald's	Case File	8/28/2013	Closed	2	Organizing Committee of Chicago	No		Chicago	IL	Management, Inc. d/b/a Rock-N-Roll McDonald's			200		(b) (7)(E), (b) (7)(C)	C	CA	JPROKOP	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	8/30/2013	
13-CA-113821	McDonald's	Case File	9/20/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's		1	35			C	CA	JPROKOP	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	12/30/2013	
13-CA-113837	Wright Management, Inc. d/b/a Rock-N-Roll McDonald's and McDonald's Corporation, joint employers	Case File	9/20/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		1	150			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-115647	(1) V. Oviedo, Inc. d/b/a McDonald's and (2) McDonald's Corporation, named as joint employers	Case File	10/25/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation			50			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-117083	(1) McDonald's/2005 W. Chicago Avenue, and (2) McDonald's Corporation, named as joint employers	Case File	11/14/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		1	60			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-118598	McDonald's	Case File	12/9/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's			35			C	CA	JPROKOP	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	2/5/2014	
13-CA-118689	McDonald's	Case File	12/10/2013	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Kandice Enterprises d/b/a McDonald's/70 E Garfield			60			C	CA	JPROKOP	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	2/5/2014	
13-CA-118690	McDonald's/23 N Western Avenue and McDonald's Corporation, named as joint employers as to the subject of this charge	Case File	12/10/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation			100,060			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-118691	McDonald's/2005 W. Chicago and McDonald's Corporation, named as joint employers as to the subject of this charge	Case File	12/10/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's/2005 W. Chicago Avenue			100,060			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-119015	V. Oviedo, Inc. d/b/a McDonald's and McDonald's Corporation, joint employers	Case File	12/13/2013	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation			140,000			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-121759	(1) McDonald's/2005 W. Chicago Avenue, d/b/a McDonald's and (2) McDonald's Corporation, named as joint employers	Case File	2/3/2014	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's Corporation		4	60			C	CA	JPROKOP	JPROKOP	RPAZ	None			
13-CA-123916	V. Oviedo, Inc. d/b/a McDonald's and McDonald's USA, LLC, joint employers	Case File	3/5/2014	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC		1	50			C	CA	JPROKOP	JPROKOP	RPAZ	None			

From: [Schlabowske, Catherine](#)
To: ["ckim@jonesday.com"](mailto:ckim@jonesday.com)
Cc: [Cortez, Elizabeth](#)
Subject: Case 13-CA-124213 and 13-CA-124362
Date: Friday, March 14, 2014 12:24:58 PM
Attachments: [CHG.13-CA-124362.INTCHG.pdf](#)
[CHG.1-1014323143.INTCHG.pdf](#)

Ms. Kim,

Per your request, please see the attached charges filed against McDonald's corporation. I understand from our conversation that Jones Day is representing the Charged Party in this matter and is in the process of e-filing a Notice of Appearance.

I am investigating Case 13-CA-124362 – my contact info is below. Elizabeth Cortez is assigned to Case 13-CA-124213 and she can be reached at Elizabeth.cortez@nrlrb.gov or 312-353-4174.

Catherine Schlabowske
National Labor Relations Board
Region 13, Chicago
209 S. LaSalle Street, Suite 900
Chicago, IL 60604
T: 312.353.7600 | F: 312.886.1341

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER


DO NOT WRITE IN THIS SPACE

Case

Date Filed

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer (1) McDonald's/9211 S. Commercial Ave. and (2) McDonald's USA, LLC, named as joint employers	b. Tel. No.
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) (1) 9211 S. Commercial Avenue, Chicago IL 60617 (2) 2111 McDonald's Drive, Oak Brook, IL 60523	e. Employer Representative
	g. e-Mail
	h. Number of workers employed Approximately 50
i. Type of Establishment (factory, mine, wholesaler, etc.) restaurant	j. Identify principal product or service fast food
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment A.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Workers Organizing Committee of Chicago	
4a. Address (Street and number, city, state, and ZIP code) 123 W. Madison St., Chicago, IL 60602-4621	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No. (312) 243-4731
	4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By  George A. Luscombe III, attorney (signature of representative or person making charge) (Print/type name and title or office, if any)	Tel. No. (312) 372-1361
	Office, if any, Cell No.
	Fax No. (312) 372-6599
	e-Mail
Address	3/11/2014 (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Attachment A to Charge Against Employer

McDonald's/9211 S. Commercial Ave. and McDonald's USA, LLC, named as joint employers.

Basis of Charge:

1. Within the last six months, the above-named employers have reduced the working hours and days of employees (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), or assigned these employees to less favorable shifts, in retaliation for their having engaged in protected, concerted and union activities, and in an effort to discourage them and other employees from engaging in protected, concerted and union activities.
2. Within the last six months, the above-named employers interfered with employees' exercise of protected rights by engaging in surveillance and video recording of employees' protected, concerted and union activities.
3. Within the last six months, the above-named employers interfered with employees' exercise of protected rights by discriminatorily preventing employees from speaking to union organizers and by discriminatorily barring union organizers from restaurant premises where other members of the public are permitted, and the employers did so in retaliation for employees having engaged in protected, concerted and union activities, and in an effort to discourage them and other employees from engaging in protected, concerted and union activities.

From: [Barry Bennett](#)
To: [Schlabowske, Catherine](#)
Cc: [Caleb Jennings](#); (b) (6), (b) (7)(C) [George Luscombe](#)
Subject: Re: FW: update for scheduling McDonalds 13-CA-124362
Date: Tuesday, March 18, 2014 7:44:56 PM

Catherine,

Understood, and I appreciate the follow-up. I'm looping in the two leaders at the Union who are closest to this situation, as well as one of my colleagues who may also be involved. As I explained, our folks probably won't have their schedules until late this week, and I'll get back to you as soon as we know who's available when. Most work days, but many usually have at least one off-day during the week. One way or another, let's talk or exchange emails by Friday.

Thanks.

Barry

On Tue, Mar 18, 2014 at 4:49 PM, Schlabowske, Catherine
<Catherine.Schlabowske@nlrb.gov> wrote:

Just to clarify b/c I have the wrong date below – our schedules are open for Monday March 24 and Wednesday March 26.

From: Schlabowske, Catherine
Sent: Tuesday, March 18, 2014 4:47 PM
To: 'bbennett@dbb-law.com'
Subject: update for scheduling McDonalds 13-CA-124362

Good afternoon,

For your information, the interpreter and I are currently keeping our schedules open for Monday and Wednesday from 9 a.m. to 5 p.m next week (March 24 and 25)– so hopefully the witnesses can be available on either or both those days. The interpreter needed to schedule another appointment for the afternoon of Tuesday, March 25th. I am in the process of scheduling appointments for another matter as well, which may now occur on Tuesday March 25th – but depending on your client's availability we may still be able to take a statement Tuesday from 9 a.m. to noon.

Thank you.

Truly,

Catherine

From: Barry Bennett [<mailto:bbennett@dbb-law.com>]
Sent: Friday, March 14, 2014 4:30 PM
To: Schlabowske, Catherine
Subject: Re: McDonalds 13-CA-124362

Thank you, Ms. Schlabowske. I'll get back to you as soon as I hear from them, although many fast food workers do not get their schedules until the end of the previous week.

On Fri, Mar 14, 2014 at 4:15 PM, Schlabowske, Catherine
<Catherine.Schlabowske@nlrb.gov> wrote:

Mr. Bennett,

Please let me know if witnesses for the above case can be available March 24-26, 2014. The interpreter and I are available all day beginning at 9 a.m. until about 5 p.m. on those three days.

Thanks!

Catherine Schlabowske

National Labor Relations Board

Region 13, Chicago

209 S. LaSalle Street, Suite 900

Chicago, IL 60604

T: [312.353.7600](tel:312.353.7600) | F: [312.886.1341](tel:312.886.1341)

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BARRY M. BENNETT
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone [312.372.1361](tel:312.372.1361) | Fax [312.372.6599](tel:312.372.6599)

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From: [Barry Bennett](#)
To: [Schlabowske, Catherine](#)
Subject: WOCC/5624 W. Roosevelt McD
Date: Sunday, March 23, 2014 3:09:13 PM

Catherine,

I'm pleased to report the employer appears to have withdrawn the demand for updated documentation and therefore we are withdrawing the charge.

Please let me know if you need anything else.

I appreciate your help, and I'll see you on the next one.

Barry

--

BARRY M. BENNETT
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
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From: [Schlabowske, Catherine](#)
To: ["Jerome Marconi"](#)
Subject: RE: McDonalds Case No. 13-CA-124362
Date: Thursday, April 3, 2014 9:15:16 AM
Attachments: [WDL.13-CA-124362.Letter Approving Withdrawal in C case.pdf](#)

Mr. Marconi,

Thank you for the e-mail. However, the Charging Party elected to withdraw the charge on about March 25, 2014. For your convenience, I have attached the withdrawal letter. As you can see, the letter was mailed to (b) (6), (b) (7)(C). At the time of the filing of the charge, I had information that the firm Jones Day was representing the Charged Party and had not heard otherwise, that is why they were served with the letter.

In any event, the matter is now closed.

Truly,

Catherine

Catherine Schlabowske
National Labor Relations Board
Region 13, Chicago
209 S. LaSalle Street, Suite 900
Chicago, IL 60604
T: 312.353.7600 | F: 312.886.1341

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From: Jerome Marconi [mailto:jerry@marconilawoffice.com]
Sent: Thursday, April 03, 2014 7:23 AM
To: Schlabowske, Catherine
Subject: McDonalds Case No. 13-CA-124362

Ms. Schlabowske-

I am writing to introduce myself. I represent (b) (6), (b) (7)(C) who is the operator for the McDonalds Restaurant which is the subject of your investigation. I am in the process of downloading and filling out the Appearance form. I should be able to get that to you today.

I look forward to working with you and (b) (6), (b) (7)(C). If you have any questions or concerns please do not hesitate to give me a call.

--

Jerry Marconi
Law Offices of Jerome F. Marconi
555 W. Jackson

Suite 700
Chicago, IL 60661
Tel 312-930-5645
Fax 312-360-1130

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

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Telephone: (312)353-7570
Fax: (312)886-1341

March 25, 2014

Jones Day
77 W Wacker Dr Ste 3500
Chicago, IL 60601-1692

Re: McDonald's/McDonald's Corporation, joint
employers
Case 13-CA-124362

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Peter Sung Ohr

PETER SUNG OHR
Regional Director

cc:

(b) (6), (b) (7)(C)

McDonald's
5624 West Roosevelt Road
Chicago, IL 60644

McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523

Barry M. Bennett, ESQ., Attorney at Law
Dowd, Bloch, Bennett & Cervone
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Workers Organizing Committee of
Chicago
123 W Madison St Ste 800
Chicago, IL 60602-4621